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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,383	01/26/2005	Masaaki Nemoto	264530US2PCT	8000
22850	7590	02/10/2006	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			LY, NGH I H	
			ART UNIT	PAPER NUMBER
			2686	
DATE MAILED: 02/10/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/522,383

Applicant(s)

NEMOTO, MASAOKI

Examiner

Nghi H. Ly

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>01/26/05;04/15/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 22-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoshitaka (JP2001-036937).

Claims 22-24, Yoshitaka teaches a telecommunications method using a mobile station (see Drawing 1, boxes 15 and 20 and antenna 10, and see drawing 3, wireless connection between devices), the mobile station comprising: a plurality of wireless channel control parts (see Drawing 1, boxes 15 and 20), and a voice communication control part for controlling a voice CODEC (see Solution and Drawing 3, Yoshitaka teaches mobile communication terminal, the teaching of Yoshitaka inherently teaches Applicant's "a voice communication control part for controlling a voice CODEC"), wherein each of the plurality of wireless channel control parts is a wireless channel control part employing a different wireless communications method (see Drawing 1, boxes 15 and 20), the method comprising: (a) prompting one of the plurality of wireless channel control parts to transmit to another of the plurality of wireless channel control parts (see Drawing 1, boxes 15 and 20 and antenna 10, and see drawing 3, wireless connection between devices) and to the voice communication control part notifications that a handover procedure to the another of the plurality of wireless channel control

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parts is started (see Drawing 1, boxes 15 and 20 and antenna 10, and see drawing 3, wireless connection between devices), when the one of the plurality of wireless channel control parts receives a handover request from a corresponding network, (b) prompting the another of the plurality of wireless channel control parts to communicate with another corresponding network to complete a handover procedure on a wireless channel (see Solution), when the another of the plurality of wireless channel control parts receives the handover procedure start notification (see Solution), and (c) prompting the voice communication control part to pause a communication between the one of the plurality of wireless channel control parts (see Solution, see "stop") and the voice communication control part and apply a mute control to the voice CODEC so as not to output a sound when the voice communication control part receives the handover procedure start notification (see Solution, Yoshitaka teaches "stop" and "switching", the teaching of Yoshitaka inherently teaches Applicant's "a mute control to the voice CODEC so as not to output a sound"), and switch to a communication between the another of the plurality of wireless channel control parts and the voice communication control part and remove the mute control to the voice CODEC (see Solution, Yoshitaka teaches "stop" and "switching", the teaching of Yoshitaka inherently teaches Applicant's "a mute control to the voice CODEC so as not to output a sound"), upon completion of the handover procedure on the wireless channel (see Solution and Detailed Description).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 13-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Applicant's admitted prior art in view of Yoshitaka (JP2001-036937).

Regarding claims 13, 16 and 19, the Applicant's admitted prior art teaches a mobile station employing an MT-TA Interface description defined by ARIB (Association of Radio Industries and Businesses) TR-T12-27.A02 (see Applicant's Background Art, pages 1-3). The Applicant's admitted prior art does not specifically disclose the mobile station comprising: a plurality of MTFs (Mobile Termination Function), and a TAF (Terminal Adaptation Function) which is an adaptor portion between a TE (Terminal Equipment) having an HMI (Human Machine Interface) and each of the plurality of MTFs, wherein each of the plurality of MTFs is a wireless channel control part employing a different wireless communications method, one of the plurality of MTFs, when receiving a handover request from a corresponding network, transmits to another of the plurality of MTFs and to the TAF notifications that a handover procedure to the another of the plurality of MTFs is started, the another of the plurality of MTFs, upon receiving the handover procedure start notification, communicates with another corresponding network to complete a handover procedure on a wireless channel, and transmits to the TAF a notification that the handover procedure on the wireless channel

is completed, the TAF, upon receiving the handover procedure start notification, pauses a communication with the one of the plurality of MTFS, and upon receiving the notification that the handover procedure on the wireless channel is completed, switches to a communication with the another of the plurality of MTFS.

Yoshitaka teaches the mobile station comprising: a plurality of MTFs (Mobile Termination Function) (see Drawing 1, boxes 15 and 20), and a TAF (Terminal Adaptation Function) which is an adaptor portion between a TE (Terminal Equipment) having an HMI (Human Machine Interface) (see Drawing 1, key input 33 and LCD 34) and each of the plurality of MTFs (see Drawing 1, boxes 15 and 20), wherein each of the plurality of MTFS is a wireless channel control part employing a different wireless communications method (see Drawing 1, boxes 15 and 20 and antenna 10, and see drawing 3, wireless connection between devices), one of the plurality of MTFs (see Drawing 1, boxes 15 and 20 and antenna 10), when receiving a handover request from a corresponding network (see Solution), transmits to another of the plurality of MTFS and to the TAF notifications that a handover procedure to the another of the plurality of MTFS is started, the another of the plurality of MTFS, upon receiving the handover procedure start notification (see Solution), communicates with another corresponding network to complete a handover procedure on a wireless channel (see Solution and Claims), and transmits to the TAF a notification that the handover procedure on the wireless channel is completed, the TAF (see Solution and Detailed Description), upon receiving the handover procedure start notification, pauses a communication with the one of the plurality of MTFS (see Solution, see "stop"), and upon receiving the

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notification that the handover procedure on the wireless channel is completed, switches to a communication with the another of the plurality of MTFS (Solution, see "switching").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Yoshitaka into the system of the Applicant's admitted prior art to continue speech by operating handover in the other system when handover fails in one system (Problem To Be Solved).

Regarding claims 14, 17 and 20, the combination of Applicant's admitted prior art and Yoshitaka further teaches the handover request includes information regarding a communication parameter between the TAF and the another network which is a destination, the communication parameter includes at least either information regarding a kind of a voice CODEC in the TAF, or information regarding a communication speed between the TAF and the another network which is the destination (see Solution and Drawing 3, Yoshitaka teaches mobile communication terminal, the teaching of Yoshitaka inherently teaches Applicant's "a communication speed between the TAF and the another network"), the one of the plurality of MTFS further transmits the information regarding the communication parameter to the TAF (see Solution), the TAF, after changing a setting regarding a communication based on the information regarding the communication parameter, switches to a communication with the another of the plurality of MTFS (Solution, see "switching" and see Solution and Detailed Description).

Regarding claims 15, 18 and 21, the combination of Applicant's admitted prior art and Yoshitaka further teaches the handover procedure on the wireless channel does not complete and fails (see Solution), the another of the plurality of MTFS transmits a

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handover procedure failure notification to the one of the plurality of MTFS (see Solution and Detailed Description), the one of the plurality of MTFS, upon receiving the handover procedure failure notification (see Solution), communicates with the corresponding network to execute a reverting procedure, the TAF, upon receiving the handover procedure failure notification from the one of the plurality of MTFS, resumes a communication with the one of the plurality of MTFS (Solution, see "switching" and see Solution and Detailed Description).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Ozluturk (US 6,754,497) teaches seamless handoff system and method.

b. Mohebbi (US 6,836,661) teaches soft hand-off in cellular mobile communications networks.

c. Banerjee (US 6,647,261) teaches idle handoff method taking into account critical system jobs.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (571) 272-7911. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi H. Ly

NH Ly
02/03/06

Charles Appiah
CHARLES APPIAH
PRIMARY EXAMINER